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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/207,136	12/08/1998	DARRYN MCDADE	97-S-159	6383

30425 7590 04/02/2003

STMICROELECTRONICS, INC.
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CARROLLTON, TX 75006

EXAMINER

CHIEU, PO LIN

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 04/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/207,136

Applicant(s)

MCDADE ET AL. *MD*

Examiner

Polin Chieu

Art Unit

2615

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 11 March 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attached arguments.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

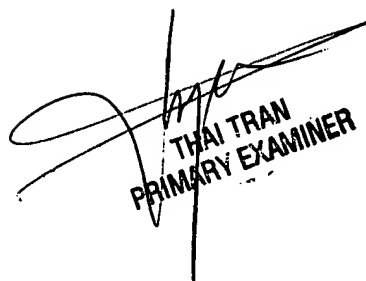
Claim(s) objected to: _____.

Claim(s) rejected: 1-8, 11-20, 25-27 and 31-33.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____.

Continuation of 2. NOTE: amendments to claims 6, 8, and 19 raise new issues that would require further search and consideration.


THAI TRAN
PRIMARY EXAMINER

Advisory Action

Response to Arguments

1. Applicant's arguments filed 3/11/03 have been fully considered but they are not persuasive. The applicant argues that each and every limitation of the claimed invention is not shown (note: arguments to claims 6, 8, and 19 address amendments that raise new issues that require further consideration and search; therefore, the amendments will not be entered and arguments directed to these claims will not be discussed). Claims 1, 20, and 25 recite a file reader capable of obtaining any encoded audio/video data stream from a data source; a navigator instructing the file reader to obtain a selected encoded audio/video data stream from a data source; and a splitter separating the encoded audio/video data stream obtained by the file reader into one or more component data stream. The examiner has not solely pointed to element 80 in figure 16, figure 16 has been pointed to as a whole. Figure 16 embodies a DVD player that is capable of reading audio/video files from a DVD. The applicant argues that a file reader must be capable of accessing data utilizing a file system. The audio/video data is stored in files as shown in figure 1, which is an established file structure for DVD disk (note: fig. 10 of Nakai et al provides additional support). Although Sawabe et al does not explicitly state that a MPEG file reader software or hardware is present, the device inherently requires hardware or software since the medium is established as storing in a MPEG format (col. 7, lines 13-20). Sawabe et al discloses a drive controller (101) connected to a controller (100) that moves the optical head (col. 18, lines 48-65). Since the data on the DVD is stored in files and the drive controller moves the head to read a

desired file from the DVD, the drive controller and controller can be considered to be a navigator (100, 101) instructing the file reader (fig. 16) to obtain a selected encoded audio/video data stream from the data source (DVD). Additionally, it can be clearly seen from figure 16 that a splitter separating the encoded audio/video data stream obtained by the file reader into one or more component data streams is present in the DVD player. Regarding the reprogrammable proxy filter, the claims define it as "decoding and converting the one or more component data streams into three or more renderable signals including at least one renderable audio signal and at least two renderable video signals. Figure 16 shows decoding and converting four component data streams (88, 90, 93, 95, 97) into three or more renderable signals (S_{vd} , S_{spd} , S_{add} , S_{hi} , S_{hid}) signals including at least one renderable audio signal (S_{add}) and at least two renderable video signals (S_{vd} and S_{spd}). Regarding the user interface, Nakai et al discloses a remote controller (or user interface). In figure 1 of Nakai et al the remote communicates with a receiver (44) connected to the system CPU or MPU. Figure 1 of Nakai et al suggest that the incorporation of a wireless remote controller into the device of Sawabe et al requires a receiver connected to the system CPU (i.e. system controller) with the controller. Therefore, the incorporation of a wireless remote controller requires a receiver connected to the system controller or navigator. In fact, although not relied upon for the art rejection, Sawabe et al does disclose a user interface connected to the navigator (98). Therefore, it is clear to one of ordinary skill in the art that figure 16 shows each and every element of the independent claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Polin Chieu whose telephone number is (703) 308-6070. The examiner can normally be reached on M-F 8:30 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew B. Christensen can be reached on (703) 308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

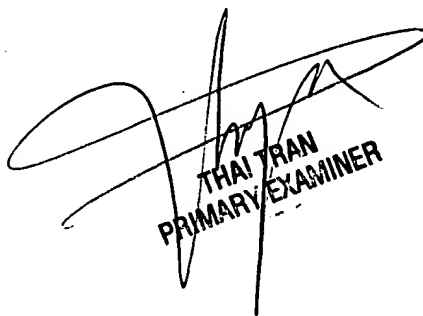
Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.


THAI TRAN
PRIMARY EXAMINER

PC
March 31, 2003